

## **U.S. Department of Justice**

United States Attorney Southern District of New York

The Silvio J. Mollo Building One Saint Andrew's Plaza New York, New York 10007

January 16, 2023

Via ECF and E-Mail
The Honorable Vernon S. Broderick
United States District Judge
Southern District of New York
United States Courthouse
40 Foley Square, Courtroom 518
New York, New York 10007

Re: United States v. Sayfullo Habibullaevic Saipov, S1 17 Cr. 722 (VSB)

Dear Judge Broderick:

In the Government's Request to Charge (Dkt. No. 556), the Government noted that it would provide the Court with additional proposed language to the extent the parties agreed upon any stipulation concerning ISIS and its attacks. The Government encloses proposed amendments to Request Nos. 4, 5, and 6 to reflect the stipulation by the parties, which is marked as Government Exhibit 2001 ("GX 2001"). (Ex. A).

The Government understands that the defense does not object to the Court incorporating language from GX 2001 in the instructions to the jury, but continues to object to the Government's proposed substantive instructions to the jury.

The Government further encloses updated proposed language concerning Count Twenty-Eight (Ex. B) as well as the relevant portions of the cited charge in *United States v. Salameh*, S5 93 Cr. 180 (KTD) (S.D.N.Y. 1994) (Ex. C).

Respectfully submitted,

DAMIAN WILLIAMS United States Attorney

By: \_\_\_\_\_/s/

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Defense counsel (via ECF)

cc: